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Attorneys for Defendants  
84 LUMBER COMPANY and  
84 ASSOCIATES, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

RONALD J. PALMERI,

Plaintiff,

vs.

84 LUMBER COMPANY, 84 ASSOCIATES,  
INC., INDIVIDUALLY AND DOING  
BUSINESS AS 84 LUMBER; AND DOES 1  
TO 10, INCLUSIVE,

Defendants.

Case No. Case No. 3:06-cv-07033-MJJ

STIPULATION AND ~~PROPOSED~~  
ORDER RE: CONTINUANCE OF  
HEARING DATE RE MOTION TO  
DISMISS

Plaintiff Ronald J. Palmeri and Defendants 84 Lumber Company and 84 Associates, Inc. through their designated counsel hereby stipulate that Defendants' Motion to Dismiss, previously noticed for hearing on January 23, 2007 at 9:30 a.m. be and hereby is continued to February 27, 2007 at 9:30 a.m. It is further stipulated that the briefing schedule be and hereby is amended so that Plaintiff's Opposition Brief is to be filed no later than February 6, 2007 and Defendants' Reply Brief, if any, is to be filed no later than February 13, 2007.

1 Dated: December 19, 2006.

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6 By /s/ John S. Poulos  
7 Attorneys for Defendants  
8 84 LUMBER COMPANY and  
9 84 ASSOCIATES, INC.

10 Dated: December 19, 2006.

11 FLETCHER, HARMS & PALMERI  
12 RICHARD A. HARMS  
433 Callan Avenue, Suite 301  
13 San Leandro, CA 94577

14 By /s/ Richard A. Harms  
15 Attorneys for Plaintiff  
16 RONALD J. PALMERI  
(As Authorized by Counsel on December 19, 2006)

17 IT IS HEREBY ORDERED that the hearing on Defendants' Motion to Dismiss is  
18 continued to February 27, 2007 at 9:30 a.m. IT IS FURTHER ORDERED that the briefing  
19 schedule for Defendants' Motion to Dismiss will be as set forth in the above stipulation.  
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21  
22 Dated: December 20, 2006.

  
23 UNITED STATES DISTRICT JUDGE  
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